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Criminalist Sues Over Kennedy Case Charges

Criminalist DeWayne A. Wolfer, acting head of the Los Angeles Police Department's crime laboratory, filed a \$2 million defamation suit in Superior Court Friday against Mrs. Barbara Warner Blehr.

Mrs. Blehr, an attorney, last May 28 publicly accused Wolfer of making errors in the ballistics investigations of the Robert F. Kennedy assassination and in two other murder cases.

Also named as defendants in Wolfer's suit were 13 John Does.

Wolfer's attorney, John LaFollette, who announced the filing at a press conference in his office, indicated that the unknowns were named because it did not seem likely Mrs. Blehr would take it "upon herself to defame a nationally respected ballistics expert."

Mrs. Blehr's accusations

against Wolfer were contained in a letter she wrote to the Civil Service Commission opposing Wolfer's permanent appointment to the crime laboratory post.

Mrs. Blehr's letter raised the question of whether a second gunman might have fired shots at Sen. Kennedy at the Ambassador June 5, 1968, and escaped as Sirhan Bishara Sirhan was overpowered and held.

LaFollette called Mrs. Blehr's charges "absurd." He said everybody conceded that only eight bullets were fired, that the Sirhan gun contained eight bullets and that every one of them was fired.

A special inquiry into alleged irregularities in ballistics tests in the Sirhan case was launched recently by Dist. Atty. Joseph P. Busch Jr. Findings have not yet been announced.

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Grand Jury to Scan Sirhan Evidence

Dist. Atty. Joseph P. Busch Jr. announced Wednesday that the question of tampering with evidence in the Sirhan Bishara Sirhan death penalty conviction for the murder of Sen. Robert F. Kennedy will be laid before the Los Angeles County Grand Jury Aug. 16.

Busch, whose office has investigated charges of improper ballistics investigation of the original case for the last two months, said he continued to be concerned that there may have been tampering with the crucial exhibits—the fatal bullets and the alleged death weapon.

Busch cited a "gag order" by Superior Judge Arthur Alarcon in June, 1968, and a subsequent order by Superior Judge Herbert V. Walker in May, 1969, as "sealing" all exhibits to public examination except by special court order.

He said the order apparently was violated by personnel of the county clerk's office.

Busch said the grand jury examination must determine the origin and extent of outside examination of the exhibits before further investigation can be completed.

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Sirhan Did Not Shoot Kennedy, Convicted Man's Lawyer Says

Attorney Godfrey Isaac said Tuesday he did not agree that Sirhan Bishara Sirhan fired the shot that killed Sen. Robert F. Kennedy on June 5, 1968.

Isaac, named Monday as new defense counsel for the condemned Palestinian, said he did not contest that Sirhan was armed and fired shots in the Ambassador pantry that night.

But, Isaac said, new evidence has arisen that points to the existence of a second gunman. He said that Sirhan fired the fatal bullet, while Sirhan's stray gunfire wounded five other persons.

The Times quoted Isaac Monday as saying he did not contest the fact that Sirhan killed Kennedy. Isaac

said this was contrary to the view he has espoused for more than a year.

Isaac is the attorney who filed a complaint for disclosure of information June 23, on behalf of investigative journalist Theodore Charach, who has charged that evidence pertaining to the second gunman theory either has been withheld or insufficiently investigated.

Charach's theory, supported by Pasadena criminalist William Harper, also has served as the basis of a suit filed by attorney Barbara Alarcon in the Superior Court charged the Los Angeles Police Department criminalist DeWayne Wolfer with violations of procedure in his ballistics probe of the Kennedy slaying.

Those charges still are under investigation by the district attorney's office.

gation can be completed.

The question of tampering with evidence arose from charges that police ballistics expert DeWayne Wolfer violated procedure in probing Kennedy's death. Busch said there is a question whether those charges can ever be resolved, in light of possible tampering with critical evidence.

Mrs. Mary Sirhan said attorney Luke McKisack will remain as co-counsel in an effort to have the conviction of her condemned son set aside. Monday she named attorney Godfrey Isaac as a new defense counsel.

McKisack has represented Sirhan since his conviction in the assassination of Kennedy. He has said in a previous interview that the new evidence indicates that the fatal bullet was not fired by Sirhan, but by a second gunman.